Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of)	
Review of the Emergency Alert System)	EB Docket No. 04-296
)	
)	
	ORDER	

Adopted: February 24, 2010 Released: February 24, 2010

Revised Comment Date: March 15, 2010 Revised Reply Comment Date: April 13, 2010

By the Chief, Public Safety and Homeland Security Bureau:

- 1. On January 12, 2010, the Commission adopted a *Second Further Notice of Proposed Rulemaking (Second FNPRM)* proposing to amend the Commission's Part 11 rules governing the Emergency Alert System (EAS) to provide for national testing of the EAS and collection of data from such tests. The *Second FNPRM* seeks comment on whether the proposed rules would effectively ensure accurate EAS testing at the national level. The *Second FNPRM* sets deadlines for filing comments and reply comments at 30 and 60 days after publication of the *Second FNPRM* in the Federal Register. On January 29, 2010, a summary of the *Second FNPRM* was published in the Federal Register. Accordingly, the deadline for filing comments was set at March 1, 2010, and the deadline for filing reply comments was set at March 30, 2010.
- 2. On February 18, 2010, the National Association of Broadcasters (NAB) filed a Motion for Extension of Time seeking a 14-day extension of the deadlines for all interested parties to submit Comments and Reply Comments in response to the *Second FNPRM*. NAB indicates that such an extension is warranted because it will enable NAB to help develop a more robust record in response to the *Second FNPRM*, particularly concerning the complex technical challenges and issues relevant to nationwide testing of the EAS. NAB also notes that the National Alliance of State Broadcasters Associations and NAB will hold the annual EAS National Summit in Washington, DC on February 28 to

¹ Review of the Emergency Alert System, EB Docket No. 04-296, *Second Further Notice of Proposed Rulemaking*, FCC 10-11, __ FCC Rcd __ (rel. Jan. 14, 2010)(*Second FNPRM*).

 $^{^{2}}$ *Id.* at ¶¶ 25-32.

³See 75 Fed. Reg. 4760 (Jan. 29, 2010).

⁴ See Review of the Emergency Alert System, EB Docket No. 04-296, Public Notice, DA 10-206, __ FCC Rcd __ (rel. Jan. 29, 2010).

⁵ Motion for Extension of Time, EB Docket No. 04-295, filed by the National Association of Broadcasters (filed Feb. 18, 2010)(*Motion*).

⁶ *Id*. at 1.

March 1, 2010.⁷ This conference will bring together representatives of the Commission, the Federal Emergency Management Agency, Capitol Hill, and the broadcasting industry to discuss EAS, public warning and reliability, and emergency preparedness issues generally. NAB states that broadcasters intend to use this opportunity to address specifically the proposed nationwide testing of EAS and other matters raised in the *Second FNPRM*.⁸

- 3. It is the policy of the Commission that extensions of time are not routinely granted.⁹ However, such extensions may be warranted when, among other things, the additional time will serve the public interest.¹⁰ In the instant proceeding, we find that providing the requested limited extension would be beneficial to the development of a complete record on the issues and that granting the extension of time requested by NAB therefore serves the public interest. We therefore extend the comment deadline to Monday, March 15, 2010, and the reply comment deadline to Tuesday, April 13, 2010.
- 4. Accordingly, **IT IS ORDERED** that, pursuant to Sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and (j), and Sections 0.191, 0.392, and 1.46 of the Commission's Rules, 47 C.F.R. §§ 0.191, 0.392, and 1.46, the Motion for Extension of Time filed by the National Association of Broadcasters **IS GRANTED**, and the deadlines for filing comments and reply comments in response to the *Second FNPRM* **ARE EXTENDED** to March 15, 2010 and April 13, 2010, respectively.

FEDERAL COMMUNICATIONS COMMISSION

James Arden Barnett. Jr., Rear Admiral (Ret.) Chief, Public Safety and Homeland Security Bureau

⁷ *Id.* at 1-2.

⁸ *Id*. at 2.

⁹ 47 C.F.R. § 1.46(a).

¹⁰ See, e.g., Service Rules for Advanced Wireless Services in the 2155-2175 MHZ Band, WT Docket No. 07-195; Service rules for Advanced Wireless Services in the 1915-1920 MHZ, 1995-2000 MHZ, 2020-2025 MHZ and 2175-2180 MHZ Bands, WT Docket No. 04-356, *Order*, 23 FCC Rcd 10527, 10528 ¶ 4 (WTB 2008).